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| APPLICATION NO.           | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---------------------------|-------------|----------------------|---------------------|------------------|
| 10/762,206                | 01/21/2004  | Dennis A. Schober    | SCHO-1-1004         | 2510             |
| 25315                     | 7590        | 05/17/2005           |                     |                  |
| BLACK LOWE & GRAHAM, PLLC |             |                      | EXAMINER            |                  |
| 701 FIFTH AVENUE          |             |                      | XU, LING X          |                  |
| SUITE 4800                |             |                      |                     |                  |
| SEATTLE, WA 98104         |             |                      | ART UNIT            | PAPER NUMBER     |
|                           |             |                      | 1775                |                  |

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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10/762,206

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**Failure to Acceptably Respond to  
Notice of Non-Compliant Amendment (37 CFR 1.121)  
No New Time Period for Reply is Provided**

The amendment document filed on 4-11-05 fails to provide the corrective action required by the prior Notice of Non-Compliant Amendment (37 CFR 1.121) mailed on 3-14-05. The amendment, including both the originally filed amendment and the amendment filed in response to the prior notice, is still considered to be non-compliant under 37 CFR 1.121. In order for the amendment document to be compliant, correction of the item(s) listed below is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

The period for reply continues to run from the mailing date of the prior Notice of Non-Compliant Amendment. The corrections listed below must be timely filed to avoid abandonment of the application. No new time period for reply is provided in this communication. See the Manual of Patent Examining Procedure (MPEP) § 714.03.

If the period for reply set forth in the prior Notice of Non-Compliant Amendment has expired, this application will become abandoned unless applicant: (1) corrects the deficiency, and (2) obtains an extension of time under 37 CFR 1.136(a). In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in the prior Notice of Non-Compliant Amendment (37 CFR 1.121).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

1. Amendments to the specification:  
 A. Amended paragraph(s) do not include markings.  
 B. New paragraph(s) should not be underlined.  
 C. Other \_\_\_\_\_
2. Abstract:  
 A. Not presented on a separate sheet. 37 CFR 1.72.  
 B. Other \_\_\_\_\_
3. Amendments to the drawings: \_\_\_\_\_
4. Amendments to the claims:  
 A. A complete listing of all of the claims is not present.  
 B. The listing of claims does not include the text of all pending claims (including withdrawn claims)  
 C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).  
 D. The claims of this amendment paper have not been presented in ascending numerical order.  
 E. Other: Claims 68 - 71 are missing

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preonnotice/officeflyer.pdf>.

Karen Washington  
Supervisory Legal Instruments Examiner (SLIE)

571-272-1061  
Telephone No.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dennis A. Schober Attorney Docket No. SCHO-1-1004  
 Serial No.: 10/762,206 Group Art Unit: 1775  
 Filing Date: January 21, 2004 Examiner: XU, L.  
 Title: SOLID SURFACE PRODUCTS

## AMENDMENT TRANSMITTAL LETTER

TO THE COMMISSIONER FOR PATENTS:

## A. Amendment Transmittal

Transmitted with this letter is

- (1) Response to Non Compliant Amendment;
- (2) Petition for Extension of Time;
- (3) Check No. 14203 (\$225/extension fee); and
- (2) Return postcard.

The claim fee for the amended claims is as follows:

## COMPUTATION OF FEE FOR CLAIMS AS AMENDED

|                                       | Claims<br>Remaining<br>After<br>Amendment |       | Highest<br>Number<br>Previously<br>Paid For |   | Present<br>Extra |   | Rate    |  | Additional<br>Fee |
|---------------------------------------|---|-------|---|---|------------------|---|---------|--|-------------------|
| Total Claims                          | 71  | Minus | 26  | = | 45               | x | \$9/18  | =  | \$0               |
| Independent<br>Claims                 | 5   | Minus | 5   | = | 0                | x | \$44/88 | =  | \$0               |
| Two Month<br>Extension of<br>Time Fee |   |       |   |   |                  |   |         |  | = \$225           |
|                                       |   |       |   |   |                  |   |         | Total additional Fee<br>for this Amendment | \$225.00          |

25315  
CUSTOMER NUMBER

BLACK LOWE &amp; GRAHAM PLLC

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 Seattle, Washington 98104  
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B. Additional Fee Charges or Credit for Overpayment

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 501050. This authorization also hereby includes a request for any extensions of time of the appropriate length required upon the filing of any reply during the entire prosecution of this application. *A copy of this letter is enclosed.*

Direct all communications to:

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Respectfully submitted,

BLACK LOWE & GRAHAM<sup>PLLC</sup>

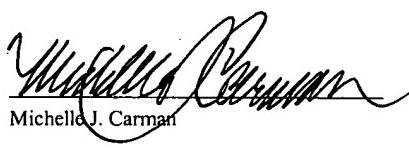


Mark L. Lorbiecki  
Registration No. 45,643  
Direct Dial: 206.903.1800

MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: **MAIL STOP AMENDMENT**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

6/3/05  
Date of Deposit

  
Michelle J. Carman